

Serial No. 10/631,306

Atty Docket No.
5702-01043**REMARKS**

Applicant notes with appreciation the allowability of claim 8.

Relative to the examiner's comments, Applicant addresses the issues as presented by the examiner.

The Drawings

A proposed set of amended drawings is included for the examiner's review. The reference "34" has been added to Figure 10, consistent with page 4, lines 2-3 of the present application.

In Figure 7, the reference "36" is now pointing to the hook member.

Proposed drawings have been prepared to provide neater figures and reference numbers.

Relative to the rejections of claims 4-6 and 10-14 under 35 USC. 112, first paragraph, Applicant has amended Figure 3 to show that the adhesive "56" is in fact between the flange "18" and the peripheral edge "38". Antecedent basis is found, for example, on page 6, lines 2-5, and also in the rest of the figures. Accordingly, Applicant now believes that the interface, or region where the flange "18" and peripheral edge "38" meet is illustrated consistent with the specification. As such, the location of where the adhesive is applied is believed to be clarified.

The Specification

The abstract has been reduced to comply with the 150 word requirement. The text removed from the abstract is represented in other areas of the specification. See page 4 and 5, for example.

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Additionally, on page 7, lines 8, 9, and 14, the reference number "20" has been replaced with the correct reference number "18". Furthermore, on page 7, line 12, "54" has been replaced with "56".

35 U.S.C. 112 First Paragraph

Claims 4-6 and 10-14 are rejected under 35 U.S.C. 112 first paragraph, as failing to comply with the written description requirement. The examiner indicates that the disclosure does not indicate where the location of the adhesive within the "interface" is. As described above, Applicant has amended Figure 3 to illustrate that the adhesive "56" is between the flange "18" and the peripheral edge "38". As noted by the examiner, this is stated on page 7, second paragraph, lines 11-12. Accordingly, the drawings are now consistent with the specification. As such, the rejection of claims 4-6 and 10-14 is traversed.

35 U.S.C. 112 Second Paragraph

Claims 11 is now amended to replace "protruding portion" with "protruding member of said plurality of protruding members". The antecedent concerns of the examiner are therefore believed obviated. As such, the rejection of claim 11 is traversed.

35 U.S.C. 102(b)

Claims 1, 10, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmucker et al. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Bernau et al.

Neither Schmucker et al., nor Bernau et al. describe a gas generator that has a base and a cap rotatably fixed to form an interference fit. This feature

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simplifies manufacturing and also reduces manufacturing costs.

Schmucker describes a base threadedly received by a cap. Accordingly, as described in column 3, lines 18-28, the two main parts 4 and 5 (e.g. a base and a cap) are screwed together rather than fixed together by an interference fit. There is no suggestion or motivation in Schmucker to change the threaded design to an interference fit.

In the same way, Bernau et al. describes a base and a cap joined by a rotary bayonet latching arrangement. An upper shell part (cap) is assembled with a lower shell part (base) so that a first plurality of mechanical latch elements in the cap are latched to a corresponding plurality of a second plurality of mechanical elements in the base. Again, there is no suggestion of an interference fit means for fixing the base with the cap.

In view of the above, the rejections under 35 U.S.C. 102 (b) are traversed.

35 U.S.C. 103(a)

Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmucker et al in view of Hill. As given above, Schmucker et al. describes a threaded relationship between the cap and the base, but does not describe or suggest an alternative to fixing the base and the cap together. Namely, Schmucker does not suggest altering the threaded means of fixing the base and the cap to a different design such as the present interference fit means, now claimed throughout the claims. Hill does not resolve the deficiencies of Schmucker. A prima facie case of obviousness is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references. There is no teaching or suggestion of a structure resulting in an interference fit. Furthermore, there is no suggestion or motivation to change the design in the references to one with an interference fit between the base and the cap. A prima facie case of obviousness is not supported without the requisite suggestion to combine the references with the required teachings.

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Claim 13 is rejected under under 35 U.S.C. 103(a) as being unpatentable over Schmucker et al in view of Bornheim et al. As given above, Schmucker et al. describes a threaded relationship between the cap and the base, but does not describe or suggest an alternative to fixing the base and the cap together. Namely, Schmucker does not suggest altering the threaded means of fixing the base and the cap to a different design such as the present interference fit means, now claimed throughout the claims. Bornheim does not resolve the deficiencies of Schmucker. A prima facie case of obviousness is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references. There is no teaching or suggestion of modifying the threaded means to a structure resulting in an interference fit. Furthermore, there is no suggestion or motivation to change the design in the references to one with an interference fit between the base and the cap. A prima facie case of obviousness is not supported without the requisite suggestion to combine the references with the required teachings.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau et al. Bernau et al. describes a rotary bayonet latching arrangement for attaching the cap to the base, but does not describe or suggest an alternative to fixing the base and the cap together. Namely, Bernau does not suggest altering the more complicated rotary latching arrangement of fixing the base and the cap to a different design such as the present interference fit means, now claimed throughout the claims. A prima facie case of obviousness is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references. There is no teaching or suggestion of modifying the latching means to a structure resulting in an interference fit. Furthermore, there is no suggestion or motivation to change the design in the references to one with an interference fit between the base and the cap. A prima facie case of obviousness is not supported without the requisite suggestion to combine the references with the required teachings.

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For the same reasons given relative to claims 2 and 3, the rejections of claims 7 and 9 under 35 U.S.C. 103(a) in view of Bernau et al., Hill, and Bornheim are also traversed.

In sum, none of the cited references when taken alone or together describe with particularity a gas generator having a base and a cap having a structure fixed by an interference fit. Because none of the references when taken alone or together describe with particularity the limitations of the claims as now drafted, the present rejections under 35 U.S.C. 102 and 103 are not supported. Furthermore, none of the cited references provide the requisite suggestion or motivation to alter the respective means to fix the base to the cap. As such, present advantages such as simplified manufacturing and reduced costs are not addressed in the same manner. Furthermore, a prima facie case of obviousness is also not supported absent the requisite motivation to combine the references.

Accordingly, for the reasons stated above, the standing rejections are respectfully traversed, and the allowance of the remaining claims and passage of the subject application to issue are courteously solicited. Applicant has calculated no additional fee to be due in connection with the paper. The Examiner's call to the undersigned is requested if it will assist in eliminating pending prosecutorial issues.

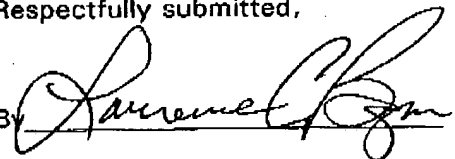
Date

6/18/04

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